



PROPOSED RULE MAKING (RCW 34.05.320)

**CR-102 (7/22/01)
Do NOT use for expedited
rule making**

Agency: Department of Agriculture		<input checked="" type="checkbox"/> Original Notice <input type="checkbox"/> Supplemental Notice to WSR _____ <input type="checkbox"/> Continuance of WSR _____	
X Preproposal Statement of Inquiry was filed as WSR 02-22-094; or <input type="checkbox"/> Expedited Rule Making -- Proposed notice was filed as WSR _____; or <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).			
(a) Title of rule: (Describe Subject) As a result of an Executive Order 97-02 rule review, the department is proposing to adopt a new, clearly written rule chapter created to specifically meet the needs of Washington state's commercial manufacturers and distributors of pet food and specialty pet food. Chapter 16-252 WAC Commercial Feed Rules: Pet Food and Specialty Pet Food combines current pet food/specialty pet food regulates contained in WAC 16-200-750 through WAC 16-200-887 with appropriate requirements from the Association of American Feed Control Officials (AAFCO) Model Regulations. Purpose: The purpose of the proposed new chapter 16-252 WAC is to create a set of regulations that are easy to understand and use, reflect current national standards, safeguard the health of man and animals, establish a structure for orderly commerce, and provide protection for consumers and the regulated industry. Specifically, chapter 16-252 WAC: <ul style="list-style-type: none"> • Addresses the specific needs of Washington state pet food/specialty pet food manufacturers and distributors. • Is written in a clear and readable style that allows users to more easily understand and apply WSDA pet food/specialty pet food rules. • Presents pet food/specialty pet food rule requirements in shorter, more focused rule sections rather than the traditional practice of presenting a wide range of information in very long, tediously sub-divided sections. • Uses tables to clearly and succinctly present information wherever possible and appropriate. • Incorporate applicable parts of the Association of American Feed Control Officials (AAFCO) model regulations to help increase the flow of trade and information and promote regulatory consistency between Washington's commercial pet food/specialty pet food industry and the pet food/specialty pet food industry in our sister states. • Adopts regulations that safeguard public health and the health of animals and that provide increased protection for consumers and industry. Other identifying information: None			
(b) Statutory authority for adoption: Chapter 15.53 RCW and Chapter 34.05 RCW		Statute being implemented: Chapter 15.53 RCW	
(c) Summary: See Attachment (c) Reasons supporting proposal: See Attachment (c)			
(d) Name of Agency Personnel Responsible for:		Office Location	Telephone
1. Drafting..... Neil Lanning		Olympia, WA	(360) 902-2052
2. Implementation...Ali Kashani		Olympia, WA	(360) 902-2028
3. Enforcement..... Ali Kashani		Olympia, WA	(360) 902-2028
(e) Name of proponent (person or organization): Washington State Department of Agriculture			<input type="checkbox"/> Private <input type="checkbox"/> Public <input checked="" type="checkbox"/> Governmental
(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters: None			
(g) Is rule necessary because of:			
Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, ATTACH COPY OF TEXT
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Citation:
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
(h) HEARING LOCATION:		Submit written comments to:	
See Attachment (h)		Laurie Mauerman Washington State Department of Agriculture P.O. Box 42560 Olympia, WA 98504-2560 FAX (360) 902-2093 E-mail lmauerman@agr.wa.gov By 5:00 p.m. on October 24, 2003	
Date and Time: See Attachment (h)		DATE OF INTENDED ADOPTION: November 19, 2003	
Assistance for persons with disabilities: Contact Laurie Mauerman by October 13, 2003		<div style="background-color: #cccccc; padding: 10px;"> CODE REVISER USE ONLY </div>	
TDD (360) 902-1996 or (360) 902-2012			
NAME (TYPE OR PRINT) Bob Arrington			
SIGNATURE			
TITLE Assistant Director	DATE September 17, 2003		

(COMPLETE REVERSE SIDE)

(j) Short explanation of rule, its purpose, and anticipated effects:

See Attachment (c)

Does proposal change existing rules? X YES ☐ NO

If yes, describe changes:

See Attachment (c)

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.
A copy of the statement may be obtained by writing to:

telephoning: ()

faxing: ()

X No. Explain why no statement was prepared. In order to mitigate any potential adverse economic impact of its proposed new pet food/specialty pet food requirements, the department is delaying the effective date of the new chapter until July 1, 2004. In addition, because the department could not determine the potential cost impact of its proposed new pet food/specialty pet food requirements, it conducted an economic impact survey. A survey, cover letter and a stamped envelope addressed was mailed (June 25, 2003) to all pet food/specialty pet food registrants registered by the department (142 surveys). All registrants were given until August 1, 2003, to complete and return the survey. On July 11, 2003, the department mailed a follow up memo to all pet food/specialty pet food registrants reminding them to complete and return the economic impact survey to the department.

The survey response rate was 19.3%. As a result of the cost, sales and employee figures reported by the respondents, the department calculated that the average annual new cost imposed by the proposed new pet food/specialty pet food regulations is \$0.05 per each hundred dollars of sales and \$15.82 per employee. The department does not consider these costs to be "more than minor" and, therefore, has not prepared a formal Small Business Economic Impact Statement as described in chapter 19.85 RCW.

(l) Does RCW 34.05.328 apply to this rule adoption? ☐ Yes X No

Please explain: The Washington State Department of Agriculture is not a listed agency in RCW 34.05.328 (5)(a)(i).